THE HON'BLE MR JUSTICE L. NARASIMHA REDDY

W.P.No.9681 of 2007

Dated 01-05-2007

Between:

D. Hussan Saheb and others

…Petitioners

And

Commissioner of Fisheries Co.Op.Society Ltd. & others

…Respondents

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W.P.No.9681 of 2007

ORDER:

The petitioners are said to be the members of the 5th respondent Fishermen Co-operative Society. They seek a direction to the respondents to convene the General Body of the Society, for the purpose of holding elections for the Managing Committee. It is stated that the term of the present Managing Committee is going to be expired by 21-07-2007. Petitioners claim to have made a representation to the respondents, on 26-03-2007, and complain that no action has been taken thereon.

Heard the learned counsel for the petitioners and learned Government Pleader for Fisheries.

The anxiety of the petitioners is, to ensure that the elections to the Managing Committee of the Society are held, before the term of the existing committee expires. Learned Government Pleader for Fisheries submits that certain disputes are pending, in relation to the finalization of the voters' list, and the writ petitions are also pending before this Court.

Conducting of elections to the Managing Committee of the Society before the expiry of the term, is the obligation of the outgoing committee, as well as the concerned officials of the department. Existence of a valid and correct voters' list is *sine qua non* for holding elections. In case, there is no controversy about the voters' list, there must not be any difficulty for the respondents, to conduct the elections. On the other hand, if any proceedings are pending before Courts, or Authorities, as regards membership of the society, steps need to be taken, to ensure that the controversy is resolved, and the way is cleared, for conducting elections.

Hence, the writ petition is disposed of, directing that the respondents shall ensure that the elections to the Managing

Committee of the Society are held, as early as possible,
duly ensuring that no controversy, as to the membership of the society,
and voters' list; exists.

There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.01-05-2007.

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